

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

5 JAMES CHAVEZ,)
6 Petitioner,) 3: 10-CV-0268 -00268-ECR-VPC
7 VS.)
8 ATTORNEY GENERAL OF THE STATE)
9 OF NEVADA,)
10 Respondent.)
/

12 Petitioner has submitted a petition for writ of habeas corpus pursuant to 28 U.S.C. §
13 2254, but he has failed to simultaneously submit either a motion for leave to proceed *in forma*
14 *pauperis* or payment of the \$5.00 filing fee. Petitioner shall be sent a motion for leave to proceed *in*
15 *forma pauperis* form, should he wish to apply for pauper status, and alternatively given an
16 opportunity to pay the requisite filing fee.

17 **IT IS THEREFORE ORDERED** that the Clerk shall send to petitioner a new
18 motion for leave to proceed *in forma pauperis* form and instructions therefor. Petitioner shall have
19 **thirty (30) days** from the date of entry of this order within which to file a motion for leave to
20 proceed *in forma pauperis*. Alternatively, petitioner shall have **thirty (30) days** from the date of
21 entry of this order within which to have prison officials deduct from his prison account and send to
22 the Clerk of Court the full \$5.00 filing fee. Failure to do so may result in the dismissal of this action.

24 DATED this 5th day of May, 2010.

Edward C. Reed.
UNITED STATES DISTRICT JUDGE